



February 10, 2009

HOUSE BILL No. 1162

DIGEST OF HB 1162 (Updated February 4, 2009 5:26 pm - DI 69)

Citations Affected: IC 13-15.

Synopsis: Environmental permits and local governments. Provides that if a person has been issued permit by the department of environmental management to construct, install, or operate a facility, equipment, or a device, the person may not start the construction, installation, operation, or modification of the facility, equipment, or device until the person has obtained any approval required by any county; city, or town in which the facility, equipment, or device is located.

Effective: July 1, 2009.

Tyler

January 12, 2009, read first time and referred to Committee on Environmental Affairs.
February 9, 2009, amended, reported — Do Pass.

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HB 1162—LS 6975/DI 69+



February 10, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1162

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 13-15-3-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. **(a)** Whenever a
3 permit is required by any rule of one (1) of the boards under IC 13-15-1
4 for the construction, installation, operation, or modification of any
5 facility, equipment, or device, the permit may be issued only after the
6 department staff has:
7 (1) approved the plans and specifications; and
8 (2) determined that the facility, equipment, or device meets the
9 requirement of the rule.
10 **(b) Notwithstanding subsection (a), a person to whom a permit**
11 **has been issued may not start the construction, installation,**
12 **operation, or modification of a facility, equipment, or a device until**
13 **the person has obtained any approval required by any:**
14 (1) county;
15 (2) city; or
16 (3) town;
17 **in which the facility, equipment, or device is located.**

HB 1162—LS 6975/DI 69+



COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1162, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 2, after "5." insert "(a)".

Page 1, line 7, reset in roman "and".

Page 1, line 9, delete "; and" and insert ".".

Page 1, delete lines 10 through 14, begin a new paragraph and insert:

"(b) Notwithstanding subsection (a), a person to whom a permit has been issued may not start the construction, installation, operation, or modification of a facility, equipment, or a device until the person has obtained any approval required by any:

(1) county;

(2) city; or

(3) town;

in which the facility, equipment, or device is located."

and when so amended that said bill do pass.

(Reference is to HB 1162 as introduced.)

DVORAK, Chair

Committee Vote: yeas 11, nays 0.

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